REMARKS

In response to the Final Office Action mailed April 16, 2007, the Applicant requests reconsideration based on a Request for Continued Examination in conjunction the above claim amendments and the following remarks. Claims 1, 24, 32, 45, 58 and 70 have been amended. Claims 1-4, 6-18 and 20-82 are currently pending in the application and stand rejected. Applicant respectfully submits that the claims as presented are in condition for allowance.

Examiner Interview Summary

Applicants thank Examiner Pitaro for the courtesy of a telephone interview on May 17, 2007, requested by the undersigned to discuss the rejection of the current claims under 35 U.S.C. § 103. During the interview, Applicant highlighted claim amendments to the Examiner in light of the references cited, and expressed their desire to further prosecution. The Examiner agreed that the claim amendments overcame the cited references.

Claim Rejections – 35 U.S.C. § 103

Claims 1, 2, 6, 17, 18, 20-23, 32-33, 38, 40, 43-47, 52-53, 57-59, 64, 66, 69-72, 77-78 and 82 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kullick *("Kullick"* U.S. 5,732,275) in view of Kenner et al. (*"Kenner"*, U.S. 6,314,565) in view of Cheng et al. (*"Cheng"* U.S. 6,151,643). Claims 1, 32, 45, 58 and 70 have been amended, and Applicant respectfully submits that the amendments overcome this rejection and add no new matter.

Amended Claim 1 recites a system for accessing the content of various types of media files using a single interface comprising, *inter alia*, a client media format controller for updating the set of client media access data by automatically accessing a plurality of remote devices each of which supports fewer than all the client media access formats supported by the client media format controller so as to add remote media format access data received from the plural remote devices, for replacing client media format access data with corresponding remote media format access data received from the plural remote devices when the existing stored client media access format data is damaged and for deleting client media format access data.

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Amended Claim 32 recites a method of displaying content of media files comprising, *inter alia*, downloading members of a set of remote media format access data when the media format comparison indicates that existing stored remote media format access data is damaged.

Amended Claim 45 recites a method of maintaining and distributing media format access data comprising, *inter alia*, downloading media format access data to a client device when the existing media access data stored on the client device is damaged, wherein the media format access data comprises at least one codec and wherein the at least one codec is used to access the content of the at least one commercially available media format without previously associating the at least one commercially available media format with a program module running on the client device.

Amended Claim 58 recites a machine readable medium having stored thereon executable code which causes a machine to perform a method of displaying content of media files comprising, *inter alia*, downloading members of a set of remote media format access data from a plurality of remote devices each of which supports fewer than all member of the set of remote media format access data, when the media format comparison indicates that existing stored remote media format access data is damaged.

Amended Claim 70 recites a machine readable medium having stored thereon executable code which causes a machine to perform a method for maintaining and distributing media format access data comprising, *inter alia*, downloading media format access data to a client device when the existing media access data stored on the client device is damaged, wherein the media format access data comprises at least one codec and wherein the at least one codec is used to access the content of the at least one commercially available media format without previously associating the at least one commercially available media format with a program module running on the client device.

Kullick discloses a method and apparatus that provide for automatic management of multiple resident versions of a software program. (*See Kullick* column 2, lines 30-32.) *Kullick* discloses upgrading programs stored in the memories of the client computers that is carried out automatically in a manner that is transparent to the users of the computers and without interruption to the normal operation of the programs. (*See Kullick* column 2, lines 58-62.)

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Kullick also discloses a software management program that can check to determine whether all files that are critical to the operation of that version are present, and if a file is missing, the software management program can conduct a search to determine whether the missing file can be located. (*See Kullick* column 4, lines 37-49.)

Kenner discloses a system and a method are provided whereby the identification, acquisition, and installation of multimedia computer software is automated. (*See Kenner* column 4, lines 27-29.) *Kenner* discloses a script file that contains information on a variety of multimedia codecs, including the most recent version numbers, specific capabilities of each codec, network locations from which the codecs can be obtained, browser compatibility information, and instructions on how to automatically acquire and install each codec. (*See Kenner* column 5, lines 40-47.)

Cheng discloses a system and method that automatically updates software components from numerous diverse software vendors on the computer systems of a plurality of end users. (*See Cheng* column 2, lines 63-66.)

In contrast with Claim 1, the combination of *Kullick*, *Kenner* and *Cheng* fails to disclose, a client media format controller for updating the set of client media access data by automatically accessing a plurality of remote devices each of which supports fewer than all the client media access formats supported by the client media format controller so as to add remote media format access data received from the plural remote devices, for replacing client media format access data with corresponding remote media format access data received from the plural remote devices when the existing stored client media access format data is damaged and for deleting client media format access data. *Kullick* fails to teach or suggest replacing client media format access data with corresponding remote media format access data received from the plural remote devices when the existing stored client media access format data is damaged, but instead discloses searching for missing files (e.g. renamed, moved and deleted files) that are critical to the operation of an application program developer. (*See Kullick* column 4, lines 38-49.) . *Kullick* fails to address existing data as recited in Claim 1. Merriam-Webster dictionary defines the word "exist" to mean "to have being in a specified place or with respect to understood limitations or conditions." Therefore, *Kullick* does not address existing data because missing files do not exist. A renamed file does not contain existing data because the file has changed and

the previous file no longer exists. A moved file does not contain existing data because the file no longer resides in a specified place. A deleted file does not contain existing data because there is no longer a file.

Kenner fails to mention determining if a file is damaged, and therefore cannot disclose replacing client media format access data with corresponding remote media format access data received from the plural remote devices when the existing stored client media access format data is damaged. *Cheng* discloses an authentication process to prevent the corruption of data through software updates, but fails to disclose replacing client media format access data with corresponding remote media format access data received from the plural remote devices when the existing stored client media access format data is damaged. (*See Cheng* column 3, line 64 through column 4 line 1.) Accordingly, independent Claim 1 patentably distinguishes the present invention over the cited art, and Applicant respectfully requests withdrawal of this rejection of Claim 1. Dependent Claims 2-18 are also allowable at least for the reasons described above regarding independent Claim 1, and by virtue of their dependency upon independent Claim 1. Accordingly, Applicant respectfully requests withdrawal of this rejection of Claims 2-18.

Claims 32, 45, 58 and 70 include limitations similar to the limitations mentioned above with respect to Claim 1, and are patentably distinguishable from the cited art for the reasons mentioned above with respect to Claim 1. Accordingly, Applicant respectfully requests withdrawal of this rejection of Claims 32, 45, 58 and 70. Dependent Claims 33-44 are also allowable at least for the reasons described above regarding independent Claim 32, and by virtue of their dependency upon independent Claim 32. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claims 33-44. Dependent Claims 46-57 are also allowable at least for the reasons described above regarding independent Claim 45, and by virtue of their dependency upon independent Claim 45. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claims 46-57. Dependent Claims 59-69 are also allowable at least for the reasons described above regarding independent Claim 58, and by virtue of their dependency upon independent Claim 58. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claims 59-69. Dependent Claims 71-82 are also allowable at least for the reasons described above regarding independent Claim 70, and by virtue

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of their dependency upon independent Claim 70. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claims 71-82.

Claims 10-16, 36, 39, 62 and 65 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Kullick* in view of *Kenner* and *Cheng* in view of Windows Media Player 7 ("*WMP 7*"). Claims 1, 32 and 58 have been amended, and Applicant respectfully submits that the amendments overcome this rejection and add no new matter.

Claims 10-16 depend from Claim 1; claims 36 and 39 depend from Claim 32; claims 62 and 65 depend from claim 58, and are allowable over the combination of *Kullick*, *Kenner* and *Cheng* for the reasons mentioned above with respect to Claims 1, 32 and 58. *WMP 7* fails to mention determining if a file is damaged, which is recited in Claim 1, and therefore cannot disclose replacing client media format access data with corresponding remote media format access data received from the plural remote devices when the existing stored client media access format data is damaged. Accordingly, independent Claim 1 patentably distinguishes the present invention over the cited art. Dependent Claims 10-16 are also allowable at least for the reasons described above regarding independent Claim 1, and by virtue of their dependency upon independent Claim 1. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claims 10-16.

Claims 32 and 58 recite limitations similar to Claim 1, and are patentably distinguishable over the cited art for the reasons mentioned above with respect to Claim 1. Dependent Claims 36 and 39 are also allowable at least for the reasons described above regarding independent Claim 32, and by virtue of their dependency upon independent Claim 32. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claims 36 and 39. Dependent Claims 62 and 65 are also allowable at least for the reasons described above regarding independent Claim 58, and by virtue of their dependency upon independent Claim 58. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claims 62 and 65.

Claims 56 and 81 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Kullick* in view of *Kenner* and *Cheng*. Claims 45 and 70 have been amended, and Applicant respectfully submits that the amendments overcome this rejection and add no new matter. Claim 56 depends from Claim 45, and claim 81 depends from claim 70, and are allowable over the combination of

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Kullick, Kenner and *Cheng* for the reasons mentioned above with respect to Claims 45 and 70. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claims 56 and 81.

Claims 3, 41, 50, 67 and 75 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Kullick* in view of *Kenner* and *Cheng* in view of Fox et al., U.S. Patent No. 5,790,677 (hereinafter "*Fox*"). Claims 1, 32, 45, 58 and 70 have been amended, and Applicant respectfully submits that the amendments overcome this rejection and add no new matter.

Claim 3 depends from Claim 1; claim 41 depends from Claim 32; claim 50 depends from Claim 45, claim 67 depends from claim 58, claim 75 depends from Claim 75, and are allowable over the combination of *Kullick, Kenner* and *Cheng* for the reasons mentioned above with respect to Claims 1, 32, 45, 58 and 70.

Fox discloses an electronic commerce system that facilitates commercial interchange of documents and instruments in a large, unrestricted audience of participants, while supporting the underlying principles of authenticity, integrity, privacy, and security. (*See Fox* column 2, lines 8-11.)

Fox fails to mention determining if a file is damaged, which is recited in Claim 1, and therefore cannot disclose replacing client media format access data with corresponding remote media format access data received from the plural remote devices when the existing stored client media access format data is damaged. Accordingly, independent Claim 1 patentably distinguishes the present invention over the cited art. Dependent Claim 3 is also allowable at least for the reasons described above regarding independent Claim 1, and by virtue of its dependency upon independent Claim 1. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claim 3.

Claims 32, 45, 58 and 70 recite limitations similar to Claim 1, and are patentably distinguishable over the cited art for the reasons mentioned above with respect to Claim 1. Dependent Claim 41 is also allowable at least for the reasons described above regarding independent Claim 32, and by virtue of its dependency upon independent Claim 32. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claim 41. Dependent Claim 50 is also allowable at least for the reasons described above regarding independent Claim 45, and by virtue of its dependency upon independent Claim 45.

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Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claim 50. Dependent Claim 67 is also allowable at least for the reasons described above regarding independent Claim 58, and by virtue of its dependency upon independent Claim 58. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claim 67. Dependent Claim 75 is also allowable at least for the reasons described above regarding independent Claim 70, and by virtue of its dependency upon independent Claim 70. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claim 75.

Claims 4, 24, 25, 27, 28, 34, 35, 42, 54, 55, 60, 61, 68, 79 and 80 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Kullick* in view of *Kenner* and *Cheng* in view of Handbook of Applied Cryptography by Menezes (hereinafter "*Menezes*"). Claims 1, 24, 32, 45, 58 and 70 have been amended, and Applicant respectfully submits that the amendments overcome this rejection and add no new matter.

Claim 3 depends from Claim 1; claims 34, 35 and 42 depend from Claim 32; claims 54 and 55 depend from Claim 45; claims 60, 61 and 68 depend from claim 58; claims 79 and 80 depend from Claim 75, and are allowable over the combination of *Kullick*, *Kenner* and *Cheng* for the reasons mentioned above with respect to Claims 1, 32, 45, 58 and 70.

Amended Claim 24 recites a system for maintaining and distributing media formats comprising, *inter alia*, a remote media format controller for compiling remote media format access data usable for accessing the content of a set of remote media formats when the existing stored remote media access data is damaged, and for updating the remote media format access data by accessing a plurality of remote devices each of which supports fewer than all the remote media formats of the set of remote media formats.

Menezes fails to mention determining if a file is damaged, which is recited in Claim 1, and therefore cannot disclose replacing client media format access data with corresponding remote media format access data received from the plural remote devices when the existing stored client media access format data is damaged. Accordingly, independent Claim 1 patentably distinguishes the present invention over the cited art. Dependent Claim 4 is also allowable at least for the reasons described above regarding independent Claim 1, and by virtue of its dependency upon independent Claim 1. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claim 4.

Claims 24, 32, 45, 58 and 70 recite limitations similar to Claim 1, and are patentably distinguishable over the cited art for the reasons mentioned above with respect to Claim 1. Dependent Claims 25, 27 and 28 are also allowable at least for the reasons described above regarding independent Claim 24, and by virtue of their dependency upon independent Claim 24. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claims 25, 27 and 28. Dependent Claims 34, 35 and 42 are also allowable at least for the reasons described above regarding independent Claim 32, and by virtue of their dependency upon independent Claim 32. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claims 34, 35 and 42. Dependent Claims 54 and 55 are also allowable at least for the reasons described above regarding independent Claim 45, and by virtue of their dependency upon independent Claim 45. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claims 54 and 55. Dependent Claims 60 and 61 are also allowable at least for the reasons described above regarding independent Claim 58, and by virtue of their dependency upon independent Claim 58. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claims 60 and 61. Dependent Claims 79 and 80 are also allowable at least for the reasons described above regarding independent Claim 70, and by virtue of their dependency upon independent Claim 70. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claims 79 and 80.

Claims 7, 8, 48, 51, 73 and 76 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Kullick* in view of *Kenner* and *Cheng* in view of Sakanishi, U.S. Patent No. 6,678,888 (hereinafter *"Sakanishi"*). Claims 1, 45 and 70 have been amended, and Applicant respectfully submits that the amendments overcome this rejection and add no new matter.

Claims 7 and 8 depend from Claim 1; claims 48 and 51 depend from Claim 45; claims 73 and 76 depend from Claim 75, and are allowable over the combination of *Kullick, Kenner* and *Cheng* for the reasons mentioned above with respect to Claims 1, 45 and 70.

Sakanishi fails to mention determining if a file is damaged, which is recited in Claim 1, and therefore cannot disclose replacing client media format access data with corresponding remote media format access data received from the plural remote devices when the existing stored client media access format data is damaged. Accordingly, independent Claim 1 patentably distinguishes the present invention over the cited art. Dependent Claims 7 and 8 are

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also allowable at least for the reasons described above regarding independent Claim 1, and by virtue of their dependency upon independent Claim 1. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claims 7 and 8.

Claims 45 and 70 recite limitations similar to Claim 1, and are patentably distinguishable over the cited art for the reasons mentioned above with respect to Claim 1. Dependent Claims 48 and 51 are also allowable at least for the reasons described above regarding independent Claim 45, and by virtue of their dependency upon independent Claim 45. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claims 48 and 51. Dependent Claims 73 and 76 are also allowable at least for the reasons described above regarding independent Claim 70, and by virtue of their dependency upon independent Claim 70. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claim 73 and 76.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Kullick* in view of *Kenner* and *Cheng* in view of Capps, U.S. Application Publication No. 2002/0082730 (hereinafter "*Capps*"). Claim 1 has been amended, and Applicant respectfully submits that the amendments overcome this rejection and add no new matter. Claim 9 depends from Claim 1, and is allowable over the combination of *Kullick*, *Kenner* and *Cheng* for the reasons mentioned above with respect to Claim 1.

Capps fails to mention determining if a file is damaged, which is recited in Claim 1, and therefore cannot disclose replacing client media format access data with corresponding remote media format access data received from the plural remote devices when the existing stored client media access format data is damaged. Accordingly, independent Claim 1 patentably distinguishes the present invention over the cited art. Dependent Claim 9 is also allowable at least for the reasons described above regarding independent Claim 1, and by virtue of its dependency upon independent Claim 1. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claim 9.

Claims 29, 49 and 74 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Kullick* in view of *Kenner* and *Cheng* in view of Yale, U.S. Application Publication No. 2002/0091764 (hereinafter "*Yale*"). Claims 24, 45 and 70 have been amended, and Applicant respectfully submits that the amendments overcome this rejection and add no new matter.

Claim 29 depends from Claim 24; claim 49 depends from Claim 45; claim 74 depends from Claim 75, and are allowable over the combination of *Kullick*, *Kenner* and *Cheng* for the reasons mentioned above with respect to Claims 24, 45 and 70.

Yale fails to mention a remote media format controller for compiling remote media format access data usable for accessing the content of a set of remote media formats when the existing stored remote media access data is damaged, and for updating the remote media format access data by accessing a plurality of remote devices each of which supports fewer than all the remote media formats of the set of remote media formats, which is recited in Claim 24. Accordingly, independent Claim 24 patentably distinguishes the present invention over the cited art. Dependent Claim 29 is also allowable at least for the reasons described above regarding independent Claim 24, and by virtue of its dependency upon independent Claim 24. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claim 29.

Yale fails to mention downloading media format access data to a client device when the existing media access data stored on the client device is damaged, which is recited in Claim 45. Accordingly, independent Claim 45 patentably distinguishes the present invention over the cited art. Dependent Claim 49 is also allowable at least for the reasons described above regarding independent Claim 45, and by virtue of its dependency upon independent Claim 45. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claim 49.

Claim 70 recites limitations similar to Claim 45, and is patentably distinguishable over the cited art for the reasons mentioned above with respect to Claim 45. Dependent Claim 74 is also allowable at least for the reasons described above regarding independent Claim 70, and by virtue of its dependency upon independent Claim 70. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claim 70.

Claims 30, 31, 37 and 63 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Kullick* in view of *Kenner* and *Cheng* in view of *Yale* in view of *WMP 7*. Claims 24 and 58 have been amended, and Applicant respectfully submits that the amendments overcome this rejection and add no new matter. Claims 24 and 58 include limitations similar to Claim 1, and are allowable over the combination of *Kullick*, *Kenner*, *Cheng*, *Yale* and *WMP 7* for the reasons mentioned above with respect to Claim 1. Dependent Claims 30, 31 and 37 are also allowable at least for the reasons described above regarding independent Claim 24, and by virtue of their

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dependency upon independent Claim 24. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claims 30, 31 and 37. Dependent Claim 63 is also allowable at least for the reasons described above regarding independent Claim 58, and by virtue of its dependency upon independent Claim 58. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claim 63.
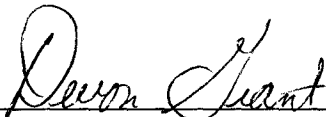
Claim 26 stands rejected under 35 U.S.C. 103(a) as being unpatentable over *Kullick* in view of *Kenner* and *Cheng* in view of *Menezes* in view of *Fox*. Claim 24 has been amended, and Applicant respectfully submits that the amendments overcome this rejection and add no new matter. Claim 24 includes limitations similar to Claim 1, and is allowable over the combination of *Kullick*, *Kenner*, *Cheng*, *Menezes* and *Fox* for the reasons mentioned above with respect to Claim 1. Dependent Claim 26 is also allowable at least for the reasons described above regarding independent Claim 24, and by virtue of its dependency upon independent Claim 24. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claims 26.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned please contact Applicants' undersigned attorney at 404.954.5040.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

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